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EXTRACT

FROM THE

VOTES

OF THE

HOUSE OF ASSEMBLY

OF THE

PROVINCE of NOVA-SCOTIA.



CONTAINING,

An ADDRESS, PETITION and MEMORIAL,

To the KING's Most Excellent MAJESTY,

The LORDS SPIRITUAL and TEMPORAL

AND

The COMMONS of GREAT-BRITAIN,
PARLIAMENT, assembled.

BOSTON:

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EXTRACT from the VOTES of the HOUSE of ASSEMBLY of the Province of NOVA SCOTIA.

WEDNESDAY June 14, 1775,

A Motion was made by Mr. Day, that a dutiful, loyal, and humble address to our gracious Sovereign and both houses of parliament be drawn, acknowledging the supreme authority of the British Parliament, and praying that the legislature of this province may be permitted to grant to his Majesty a certain duty of impost on all commodities imported into the said province (not being the growth of his Majesty's European or American dominions) (salt only excepted) and that the same may be accepted in lieu of all taxes payable in this province by virtue of any acts of Parliament; the revenue arising from such duties to be at the disposal of Parliament; and humbly praying to be delivered from certain grievances, and to be allowed certain privileges therein to be set forth. And the house having taken the same into consideration, Ordered, that Mr. Day, Mr. Denison, Mr. Tonge, Mr. Morris and Mr. Gay, do prepare and bring an Address accordingly.

Saturday,

Saturday, June 24th, 1775. The Address, Petition and Memorial to his Majesty and both houses of Parliament, was read and agreed to by the house with amendments.

Ordered, That three copies thereof, and duplicates be immediately ingross'd, and that Mr. Speaker, Mr. Tonge, Mr. Day, and Mr. Deehampe, do examine and compare the same.

Ordered, That Mr. Speaker, do sign the said addresses in behalf of this house, and without delay transmit one of them to the Right Honorable the Earl of Dartmouth to be presented to his Majesty, another to the Right Honorable the Lord Chancellor to be laid before the House of Lords, and another to the Right Honorable the Speaker of the House of Commons to be laid before that Honorable House.

The PETITION, &c. is as follows,

To

To the KING's Most Excellent MAJESTY,
the LORDS SPIRITUAL and TEMPORAL
and the COMMONS of GREAT-BRITAIN
in PARLIAMENT assembled.

The ADDRESS, PETITION and MEMORIAL
of the Representatives of the Freeholders
of the Province of NOVA SCOTIA, in
General Assembly.

YOUR loyal and ever dutiful House of Assembly of the province of Nova Scotia, most humbly beg leave to address our gracious Sovereign and both houses of Parliament, at this dreadful and alarming crisis, when civil discord and its melancholy consequences are impending over all British America.

Actuated by the warmest ties of duty and affection to the person and family of our most gracious Sovereign, animated with the firmest attachment to the Mother Country, zealous to support her power and consequence over all the British dominions and dreading a separation from her government and protection, as the greatest political evil which can befall us or our posterity.

Influenced by the principles of humanity and the just rights of mankind in civil society, we tremble at the gloomy prospect before us, we feel for our gracious King, we feel for our Mother Country, of which many of us are natives, we feel for the British American race, once the most loyal, virtuous, and happy

happy of mankind : animated with such principles may we not approach the Supreme Legislature of the British empire, and as dutiful children of just and indulgent parents, may we not most humbly solicit for such regulations as we conceive most likely to preserve the inhabitants of this province in duty and allegiance to our King, in rendering permanent their connection with, and dependance on the Supreme Legislature of Great Britain, and preserving inviolably to us and our posterity the just rights of men in civil society.

We are fully sensible that we have no right to pray for redress of grievances, to request privileges or regulations unless we acknowledge your right over us, Therefore we the Representatives of the Freeholders of the province of Nova Scotia, do unanimously, most humbly acknowledge our gracious Sovereign George the Third, King of Great Britain, the Lords Spiritual and Temporal and the Commons of Great Britain in Parliament assembled to be the Supreme Legislature of this province and of all the British dominions, and that it is our indespensable duty to pay a due proportion of the expence of this great empire.

Having thus as obedient subjects acknowledged our duty to our King and our willing submission to the Supreme Legislature of the British Empire, we humbly request the right of being heard in respect to our grievances or wishes, and as our proceedings in this assembly may possibly have some influence, with other assemblies in America, we humbly hope it will not seen presuming if we enter on the subject.

We humbly conceive it will be necessary to the peace and happiness of the British Empire, that the tax to be raised in the Colonies and which shall be

at the disposal of the British Parliament and the proportion of each colony towards the imperial expence should be of such a nature, as it may never after be necessary to alter it.

We are also humbly of opinion that this tax should be of such a nature, as should not depreciate, but should increase in an equal ratio with the affluence of the inhabitants of this province.

We are also humbly of opinion that the tax should be of such a nature, as not to be liable to be affected by the increase or diminution of the metals of gold and silver in the world.

From these considerations, we humbly offer it as our opinion that the fittest tax for this purpose, would be a duty of so much per cent upon all commodities imported into this province, not being the produce of the British dominions in Europe and America, (except the article of Bay Salt) this tax will include almost all the luxuries made use of, and will increase in an equal ratio with the affluence of the inhabitants and if the rate of the several articles are fixed every ten years for the future and subsequent ten years, it will not be liable to depreciate in value by the increase of the metals of gold and silver.

We therefore humbly pray that the supreme legislature of the British Empire, will please to accept of a tax as above pointed out, and so conscious are we of your justice and humanity, that we request to know what proportion, would be pleasing or agreeable to you, reminding you to consider that this province having no manufactories or lucrative commerce must ever have a scarcity of Specie.

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We also humbly pray that when the exigencies of the state may require any further supplies from this province that then such requisitions may be made in the usual manner formerly practiced, whereby we may have an opportunity of shewing our duty and attachment to our Sovereign, and our sense of the cause for which such requisition is made, by which means and that only our gracious Sovereign, can be acquainted with the true sense of the people in these his distant dominions.

We also humbly pray that you will permit us and instruct your governor to assent to an act to disqualify and deprive every member of the community from the rights and privileges of a subject in civil prosecutions, who shall be detected in any illicit trade or fraudulent dealing, together with their aiders, abettors or concealers in this or any other branch of the revenue.

This will render unnecessary a multitude of officers employed to detect illicit trade and prevent that disgust and evil spirit which has been created by their insolence, and will prevent that corruption of manners and that contempt of the crime of perjury which is now become so open and flagrant. We humbly request that you will appoint good and sufficient salaries to the officers of the customs, and absolutely forbid them to take any fee in any case whatsoever as we have found that the detail of revenue duty in all its departments have been clogged with unnecessary forms and trifling regulations to increase the fees and perquisites of the officers, and are also humbly of opinion that if those officers were under the control of the governor, the council and judges of the supreme court of the province, it would be more for the advantage of his Majesty's service and the good of the revenue. We also humbly request that

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that if the mode of taxation be pleasing to you, that you will permit and order the legislative council and the judges of the supreme court for the time being, to determine and affix the rate of the taxed articles every ten years for every subsequent ten years.

Your ever dutiful loyal and affectionate house of assembly would not in these unhappy times presume to mention their own grievances or request any particular privileges, least you should suppose they were meant conditional of their just duty and allegiance this day acknowledged, but as the humble friends of our King and Mother Country, may we not respectfully point out those measures which may best tend to preserve the inhabitants of this province in loyalty and allegiance, and altho we are not at this time in such circumstances as to raise a revenue for the support of the interior civil government of this province, agreeable to the present plan established by his Majesty, and which seems absolutely necessary for the dignity of government in a country whose particular situation and advantages are such, as may probably induce government to order it to be the head quarters of the British land and sea forces in America: But altho we may be unable wholly to support so large yet necessary civil list, yet we are willing to set apart a fund for that purpose, which will necessarily increase with the opulence and number of the inhabitants and will in time relieve our parent state from the heavy burthen of our support; our poverty as a province will not prevent a British King and Parliament from hearing and justly relieving us, when as humble and dutiful subjects and being well acquainted with this country and its inhabitants we only beg leave to inform our gracious King and Parliament with the measures which we conceive would best tend to the peace and happiness of this country.

We therefore most humbly presume to offer as our opinion ;

That no native of this province may ever be appointed a Governor or Lieut. Governor in this province ; the ambition of affluent individuals to acquire governments, have led to faction and parties subversive of the peace and happiness of the people, the good of the province and the honor of government, probably the present disputes in America may have been promoted by this cause.

We are humbly of opinion that the members of the legislative council should be appointed for life, and that no person should be appointed a member of the council unless he be possessed of landed property in the province to the value of one thousand pounds at least. And we most humbly pray that no collector or under officer of the customs, or any officer who is directly or indirectly concerned in the collection of the provincial revenue, may ever be admitted to a seat at the council board.

We humbly pray most fervently that the officers of the customs and every officer concerned in collecting the provincial revenue may be prohibited from serving as representatives in general assembly.

We humbly pray that the elections for the representatives of the people, may be triennial, may be by ballot, and that the day of election triennially may be fixed by law and that every officer of government be particularly prohibited from interfering in elections under severe and heavy penalties.

We humbly pray that the judges of the supreme court in this province, may have their commissions during good behaviour in the same manner as in England.

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We humbly pray that after the decease of the present judges, that all future judges may be appointed in England, and may not be natives of this province; we can trace the present unhappy disorders in America, to the want of a regulation of this kind.

We humbly request your Majesty will graciously permit the legislature of this province to ascertain the numbers and boundaries of the several counties in this province.

Most gracious King, grant and permit us a Sheriff in each and every county, and deliver us from a Provost Marshal presiding over this whole province, whose influence owing to the nature of his office and the number of his deputies must be excessive, and whose power in elections is absolute, if we are not relieved in this particular we can have no pretensions even to the name of freemen.

We humbly pray that your Majesty will graciously permit and order that a Recorder of deeds and conveyances be appointed in each and every county and not a deputy to a principal residing elsewhere.

Our gracious King cannot be insensible of the great necessity there is that the most respectable persons in the community be appointed to the commissions of the peace; legal authority unless aided by the good opinion of the people, can have but little effect, probably the reason why the most respectable persons decline the office is, because they are liable to be dismissed unheard. The want of power in the magistrates to execute and enforce the laws has been a general complaint in America.

We humbly pray that the governor, council and judges of the supreme court, may constitute a court of vice-admiralty throughout the province, to deter-

mine all causes cognisable in such courts, agreeable to law and equity, and to receive no fees therefor.

We humbly pray that any two or more of the judges of the supreme court and a jury balloted for and struck by the parties shall constitute a court of equity in all civil cases throughout the province, subject only to appeals to his Majesty in council, where the property contested may amount to five hundred pounds sterling or upwards.

We humbly pray to be delivered from the oppression of practitioners in the law, and pray that in all civil actions, their fees, charges and perquisites may be limited to five per cent. on all sums declared for or defended; it is not the desire of our good King, to have his quiet and inoffensive subjects in this quarter of the globe given up to be persecuted by a few rapacious men.

Most benign King, Your Majesty was graciously pleased to grant tracts of land in this province upon various conditions of settlement and payment of quit rents; many of the conditions of settlement were impracticable and others so expensive that the grantees were not able fully to effect them, We humbly pray to be exonerated from these severe conditions, and that you will graciously limit the power of the court of escheats to defaults in the payment of the quit rent only.

This house is sorry to observe that most cruel use has been made of this power of escheating land, even to the depriving of two old officers of the gratuity given them by your Majesty, for near forty years of military service, and that to gratify two domesticks of that governor who ordered the escheatment; and at this time a tract of land is advertised to be escheated, on

on which the proprietors have laid out near four thousand pounds.

Finally, We most humbly request that the assembly of this province may be called together annually, and that no governor may be allowed to dissolve or prorogue them when he shall be informed that they are preparing a petition to our gracious King and Parliament of Great-Britain.

Most gracious Sovereign, we have unhappily experienced that the redress of our grievances, and those requested regulations could not come from us in the constitutional mode of laws, which must have passed a council, some of them without property in the province or interest in our welfare.

May the God of all goodness shower down on our gracious Sovereign and his beloved family every temporal blessing.

May the spirit of concord, justice and public virtue directs the councils of the British Senate, and may the Father of mercies preserve constitutional freedom to the British race in every part of the globe.

WILLIAM NESBITT, Speaker.

Halifax, June 24th, 1775.

QUERE, Would not a proceeding similar to the foregoing, had it been adopted by the different assemblies on the continent, have prevented the misfortunes under which we at present labour.